

Commissioners Meeting Minutes

June 4, 2007

The Randolph County Board of Commissioners met in regular session at 4:00 p.m. in the Commissioners Meeting Room, County Office Building, 725 McDowell Road, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present. Kim Newsom, Personnel Director, gave the invocation, and everyone recited the Pledge of Allegiance.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment.

Richard K. Paul spoke about the criminal element running rampant in the county. He said that crime has increased 15% in the last 3 years. His home has been burglarized 3 times. He said that if something is not done, those who care will end up moving out of the county and the villains will end up running the county. He asked the Commissioners to do better with regard to the Sheriff's Department.

Approval of Consent Agenda

On motion of Haywood, seconded by Kemp, the Board voted unanimously to approve the Consent Agenda, as follows:

- *approve 5/7/07 regular & 2 sets of closed session meeting minutes;*
- *appoint Sally Robbins to the Nursing Home Community Advisory Committee;*
- *reappoint Frank Fields, James Bowman, & John Waugh to the Climax Fire Protection District Commission;*
- *reappoint Barry Ward, William Collier, & John Shepard to the Julian Fire Protection District Commission;*
- *reappoint Dr. Ann Suggs to the Randolph County Consolidated Mental Health Board;*
- *approve Budget Amendment #43 for Public Health, as follows:*

2006-2007 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #43		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	<i>\$9,932</i>	
Appropriations	Increase	Decrease
<i>Public Health</i>	<i>\$9,932</i>	

- *approve Budget Amendment #44 for Day Reporting Center, as follows:*

2006-2007 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #44		
Revenues	Increase	Decrease
<i>Restricted Intergovernmental</i>	<i>\$9,350</i>	
<i>Miscellaneous</i>	<i>\$8,500</i>	
Appropriations	Increase	Decrease
<i>Day Reporting Center</i>	<i>\$17,850</i>	

- approve Budget Amendment #45 for the Starpet, Inc. Economic Development incentive, as follows:

2006-2007 BUDGET ORDINANCE—GENERAL FUND—AMENDMENT #45		
Revenues	Increase	Decrease
<i>Transfer from Economic Development Reserve</i>	<i>\$125,000</i>	
Appropriations	Increase	Decrease
<i>Other Economic & Physical Development</i>	<i>\$125,000</i>	

- approve replacement of Lt. Joann Sapp as Deputy Finance Officer for Jail Commissary Account, replacing Major Fred Rutledge, and set her bond at \$10,000.

Additions to Agenda

Chairman Holmes announced that the following would be added to the New Business section of the agenda:

- G. Approve Renewal of Contract with Trinity to Provide Law Enforcement Services—*Aimee Scotton*
- H. Approve Amendment to Contract with Trinity for Tax Collection Services—*Aimee Scotton*
- I. Appoint Robert V. Suggs to Social Services Board
- J. Appoint Robert Ware to Regional Partnership Workforce Development Board
- K. Appoint Belva Hancock to Jury Commission
- L. Appoint Representative to RCC Board of Trustees

Request for Consideration of a Community Fund

Mayor David Jarrell & City Manager John Ogburn, City of Asheboro, asked the Board to consider establishing a Community Fund. They suggested that the County set aside money each year from which municipalities and communities could apply for matching funds for grants for special projects in order to promote enhancements countywide.

The Board said they would consider this request during their budget deliberations.

Public Hearing - D.O.T. Secondary Road Improvement Program; Approval of Resolution

Reuben Blakley, Department of Transportation District Engineer, presented the 2007-2008 Secondary Roads Improvement Program and reviewed the expected allocations listed in the resolution that follows.

Chairman Holmes opened the public hearing.

Shelby Logston, Union Township, said that her road, Harvell Road (SR 1187), is very bad and said she would appreciate any help in getting her road moved up on the priority list for paving.

Chairman Holmes closed the public hearing.

On motion of Frye, seconded by Lanier, the Board voted unanimously to adopt the following resolution approving the 2007-2008 Secondary Roads Improvement Program, as presented:

WHEREAS, the North Carolina Department of Transportation anticipates in July 2007 an allocation of \$2,039,689 and remaining funds of \$0 from the previous Secondary Road Improvement Program, a total of \$2,039,689 for Secondary Road Improvements in Randolph County for fiscal year 2007-2008. A public meeting was held on June 4, 2007 in the Randolph County Commissioners Meeting Room on the expenditures of said funds; and

***WHEREAS,** it is proposed to utilize approximately \$171,000 to construct roads down the priority list as far as possible, provided rights of way are available:*

PROGRAM SUBJECT TO AVAILABILITY OF FUNDING, RIGHT-OF-WAY, AND ENVIRONMENTAL REVIEW

<u>Priority No.</u>	<u>SR No.</u>	<u>Road Name</u>	<u>From</u>	<u>To</u>	<u>Miles</u>	<u>Description</u>	<u>Cost</u>
14 Subdivision	2382	Guilford Way	SR 2141	End of Maint.	0.21	G,D,B,P,EC	\$94,500
15 Subdivision	2384	Brookdale Rd.	SR 2324	End of Maint.	0.17	G,D,B,P,EC	\$76,500

***WHEREAS,** it is proposed to retain \$286,190 of the total allocation for spot stabilization, paved road improvements, replace small bridges with pipe, or safety projects; and*

***WHEREAS,** it is proposed to utilize \$1,582,499 for pave road improvements on SR 2116 (New Salem Rd.) from US 220 Business to NC 22 for 7.07 miles (according to G.S. 136-44.5b); and*

***WHEREAS,** the North Carolina Department of Transportation anticipates in July 2007 an allocation of \$1,852,747 and remaining funds of \$0 from the North Carolina Highway Trust Fund, a total of \$1,852,747 for Secondary Road Improvements in Randolph County for fiscal years 2007-2008. A public meeting was held on June 4, 2007 in the Randolph County Office Building on the expenditures of said funds; and*

***WHEREAS,** it is proposed to utilize approximately \$1,624,000 to construct roads down the priority list as far as possible, provided rights of way are available:*

<u>Priority No.</u>	<u>SR No.</u>	<u>Road Name</u>	<u>From</u>	<u>To</u>	<u>Miles</u>	<u>Description</u>	<u>Cost</u>
6F	1105B	Burney Mill Rd.	End of Pav't approx. 350' east of SR 1104	End of Pav't approx. 275' west of SR 1107	2.44	G,D,B,P,&EC	\$1,098,000
7F	2629B	Burgess Kivett	SR 2630	Co. Line	1.70	B,P,&EC	\$340,000
10 Rural Hold	1962	Walter Meadows Rd.	SR 1939	End of Maint.	0.39	B,P&EC	\$78,000
16 Subdivision	1264	Cortez Rd.	SR 1228	SR 1228	0.54	B,P&EC	\$108,000

***WHEREAS,** it is proposed to retain \$228,747 of the total allocation for property owner participation paving and overruns.*

***BE IT RESOLVED** that all of the above be carried out by the Department of Transportation.*

Approval of 2007-2008 Home and Community Care Block Grant (HCCBG) Allocations

Candie Rudzinski, Aging Services Planning Coordinator, reported that the Aging Services Planning Committee has approved a recommendation for the HCCBG allocations for FY 2007-2008, totaling \$706,084. She asked the Board to approve the funding plan and to agree to accept supplemental funding for Aging Services should it become available.

On motion of Haywood, seconded by Kemp, the Board unanimously approved the HCCBG Funding Plan as indicated on Form DOA-731 requesting a total of \$706,084 and agreed to accept supplemental funding should it become available and to allow the Aging Services Planning Committee to decide how to allocate these funds as appropriate according to the existing "Policy for Distribution of Aging Services Funding."

Adoption of Capital Project Ordinance for Water Improvements

Will Massie, Assistant County Manager/Finance Officer, said that the Board of County Commissioners, in conjunction with the Town of Franklinville, has approved the construction of a water line up Highway 22 to the Providence Grove High School. An installment purchase contract will likely be used to finance the project in September 2007. There are also funds reserved from the 2006 COPS for a portion of the construction costs. The General Fund will advance monies to pay for invoices and will be reimbursed in September. Transactions relating to this project will be occurring before the end of the current fiscal year. As a result, a capital project ordinance is needed to account for the financing proceeds and costs related to this project. G.S. 159-13.2 states "a project ordinance authorizes all appropriations necessary for the completion of the project and neither it nor any part of it need be readopted in any

subsequent fiscal year.” The Highway 22 construction project is expected to be completed within one year. This ordinance can be amended later to include any future water projects approved by the Board.

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve a Rural Water Infrastructure Capital Project Ordinance, as presented:

BE IT ORDAINED by the Board of the Randolph County Commissioners that, pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The construction of water distribution lines in areas of Randolph County which are currently unserved by municipal systems, is hereby authorized as a capital project with revenues and expenditures projected for the duration of the project.

Section 2. The officers of Randolph County are hereby authorized to proceed with the capital project in accordance with all General Statutes of North Carolina and within terms of the contracts approved by the Randolph County Board of Commissioners and the budget contained herein.

Section 3. The following amounts are anticipated to be available to complete this capital project:

<i>Proceeds from Debt Financing</i>	<i>\$ 1,810,100</i>
<i>Transfer from General Fund</i>	<i>300,000</i>
<i>Transfer from County Schools Project</i>	<i>422,000</i>
<i>TOTAL:</i>	<i><u>\$ 2,532,100</u></i>

Section 4. The following amounts are appropriated for expenditures for the capital project:

<i>Hwy 22 Construction Costs</i>	<i>\$ 2,232,100</i>
<i>Transfer to General Fund</i>	<i>300,000</i>
<i>TOTAL:</i>	<i><u>\$ 2,532,100</u></i>

Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy the requirements of General Statutes of North Carolina. The terms of the installment purchase contract also shall be met.

Section 6. Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the financial institution in an orderly and timely manner.

Section 7. This Capital Project Ordinance shall be entered in the minutes of the Board of the Randolph County Commissioners and copies of this Ordinance shall be filed with the finance officer, the budget officer, and the clerk to the board for direction in carrying out this project.

Section 8. This Capital Project Ordinance is adopted on June 4, 2007 and shall continue in effect until the project is completed.

Adoption of Budget Amendment Concerning County Schools and Highway 22 Water Line

Mr. Massie said that when the Providence Grove High School project was initially developed, the project costs included \$422,000 for well construction. Now, these funds will be made available to assist with the costs of the Highway 22 water line to the high school and Grays Chapel Elementary School. To transfer these funds to the Rural Water Infrastructure Capital Project, a budget amendment to the County Schools Capital Project Ordinance is needed.

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve Budget Amendment #6, as follows:

COUNTY SCHOOLS CAPITAL PROJECT ORDINANCE—AMENDMENT #6		
Appropriations	Increase	Decrease
<i>Providence Grove High School</i>		
<i>Utility Construction</i>		\$422,000
<i>Transfer to Rural Water Infrastructure Project</i>	\$422,000	

Election of Voting Delegates for NACo Conference

On motion of Frye, seconded by Haywood, the Board voted unanimously to elect Harold Holmes as the voting delegate for the 2007 NACo Conference and Darrell Frye as the alternate.

Approval of Contract Renewal with Trinity to Provide Law Enforcement Services

Aimee Scotton, Associate County Attorney, said that the City of Trinity pays the salary and fringes for a County-assigned deputy for law enforcement services in Trinity. This contract is about to expire. Ms. Scotton asked the Board to amend the wording in the new contract by increasing the salary cap from \$42,534 to \$45,000, to reflect any increase in the FY 07-08 budget for salaries and to make the contract a continuing contract.

On motion of Haywood, seconded by Frye, the Board voted unanimously to approve a new contract with the City of Trinity for law enforcement services, as recommended.

Approval of Contract with Trinity for Tax Collection Services

Ms. Scotton said that the City of Trinity has begun assessing fines and fees to their citizens for certain violations which, normally would be collectable in the same manner as property taxes. However, the City wishes to collect these fees rather than the County and the County's contract with the City needs to be amended to reflect this change.

On motion of Frye, seconded by Lanier, the Board voted unanimously to amend the contract with the City of Trinity for tax collection services, such that the City, rather than the County, will be responsible for collecting fees and fines assessed by the City.

Appointment to Social Services Board

On motion of Frye, seconded by Haywood, the Board voted unanimously to appoint Robert Suggs to the Social Services Board.

Appointment to Regional Consolidated Services Workforce Development Board

On motion of Kemp, seconded by Haywood, the Board voted unanimously to appoint Robert Ware to the Regional Consolidated Services Workforce Development Board.

Appointment to Jury Commission

On motion of Frye, seconded by Kemp, the Board voted unanimously to appoint Belva Hancock to the Randolph County Jury Commission.

Appointment to RCC Board of Trustees

On motion of Kemp, seconded by Haywood, the Board voted unanimously to reappoint Robby Davis to the RCC Board of Trustees.

Presentation of Proposed 2007-08 Budget

Will Massie, Assistant County Manager/Finance Officer, presented the proposed FY 2007-2008 budget message. This year, the County has the circumstances of property revaluation and significant new

expenses. Unfortunately, the effect of increased debt service costs for schools and Medicaid eliminated the County's ability to reduce down to the revenue-neutral property tax rate. Therefore, the 2007-08 Proposed Budget maintains the same 53.5 cent property tax rate as the 2007 fiscal year. The Proposed Budget totals \$110,424,265, which is an increase of \$7,579,858, or 7.37%, over the 2006-07 adopted budget. The proposed tax rate is based on a total valuation of \$10,000,000,000.

Recess

On motion of Kemp, seconded by Frye, the Board voted unanimously to take a short recess.

Rezoning Public Hearing

At 6:30 p.m., the Board adjourned to a duly advertised public hearing to consider rezoning requests. Hal Johnson, Planning and Zoning Director, presented the following requests, and Chairman Holmes opened the public hearing for comments on each request and closed it before taking action on the requests.

1. THE TOWN OF FRANKLINVILLE has requested to extend the town's Extra Territorial Jurisdiction (ETJ) to include the balance of the following property, approximately 42 acres located at 5338 US Hwy 64 East. Hal Johnson, Planning Director, said that the extension would be consistent with the County's growth plans and objectives. The Planning Board reviewed this request at a public meeting on May 8, 2007, and unanimously recommended that this request be approved.

Franklinville Mayor Jerry Grazier said that Tom Britt owns the 42 acres and has requested that Franklinville extend their ETJ to include his property.

Tom Britt spoke in favor of the request.

MiMi Cooper, 203 Albert Martin Rd. Franklinville, said she lives nearby and is concerned that this 40 acres, which is currently agricultural, would become commercial. She said that she would like buffers to protect residents from commercial properties.

Mayor Grazier spoke again, saying that there will be buffers.

On motion of Haywood, seconded by Frye, the Board voted unanimously to approve the request of the Town of Franklinville.

2. RICHARD KELLER, Denton, North Carolina, is requesting 16.31 acres located at Little Bean Store Road, Richland Township, be rezoned from RA to RLOM-CD. Rural Growth Area. Tax ID# 7697608843. The proposed Conditional Zoning District would specifically allow a 4-lot residential subdivision with a variety of housing types. The Planning Board reviewed this request at a public meeting on May 8, 2007, and unanimously recommended that this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Examples of Growth Management Policies that the Planning Board found supporting this recommendation are:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long term quality of life in Randolph County.

Policy 6.23 The County should encourage the use of rural lot subdivision designs where the size of lot allows for open space and groundwater recharge areas preserved by careful siting of the principal and accessory uses as noted though subdivision plat notations and related deed restrictions.

Policy 8.8 The County should seek land use decisions to continue to provide locations for affordable housing while maintaining a choice in compatible housing types in communities within the county.

Richard Keller, applicant, spoke in support of his request.

Barry Scott, Old Lexington Road, said that his mother lives on Little Bean Store Road. He said that there are very many mobile homes in the area and many of them are abandoned. This is causing the area to deteriorate and the property values to drop. Also, he said that there is an increasing amount of drug traffic in the area. He is concerned with the safety and well being of the community. He believes that stick built homes would be a better choice for the community because people who own mobile homes tend to move out of them more frequently and don't keep them up.

Michael Beam, 5285 Little Bean Store Rd., said that he farms his property and is concerned about the potential for his farm equipment to be stolen, should more mobile homes move into the community. He said there is an abandoned, vandalized mobile home 100 yards from his property.

Nora Brown, Picketts Mill Road, said that Ken McDowell had developed some property in the area a few years ago and mobile homes were put on it. Many of these have been foreclosed on, and people are all the time moving in and out of them. She said there are known drug users on Picketts Mill Rd.

Richard Keller spoke again, saying that he's very particular about whom he sells to and he doesn't rent any places out. He tries hard to look after his investment. He said that most of the people who are interested in these lots have said they would like to put modular homes on them. He told the Board that he would like to add restrictions for a 35-foot no-cut buffer and the prohibiting of single-wide mobile homes.

Commissioner Kemp made a motion to approve the request of Richard Keller with the added restrictions of a 35-foot no-cut buffer on three sides, the prohibiting of single-wide mobile homes and if the current single-wide mobile home on the property is ever removed, it would have to be replaced with at least a double-wide home—no single-wide.

The motion died for lack of a second.

Chairman Holmes reopened the public hearing. Hearing no comments, Chairman Holmes closed the public hearing. The Board discussed the request.

Commissioner Kemp restated his previous motion and Commissioner Haywood seconded it. The Board voted 3-2, with Frye and Lanier opposing, to approve the request of Richard Keller with the added restrictions of a 35-foot no-cut buffer on three sides, the prohibiting of single-wide mobile homes and if the current single-wide mobile home on the property is ever removed, it would have to be replaced with at least a double-wide home—no single-wide, and as consistent with the County's adopted comprehensive plans and as outlined in the recommendations provided by the County Planning Board.

3. RUSSELL LINEBERRY, Siler City, North Carolina, is requesting 5.84 acres out of 7.46 acres located at Old Stagecoach Road, Franklinville Township, be rezoned from RA-CU to RR. Secondary Growth Area. Tax ID# 7781657830. The applicant wishes to remove the existing conditional use permit to allow a minor 2-lot residential subdivision. The Planning Board reviewed this request at a public meeting on May 8, 2007 and unanimously recommended that this request be approved as consistent with standards and policies contained within the Growth Management Plan.

Examples of Growth Management Policies that the Planning Board found supporting this recommendation are:

Policy 6.13 Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.

Policy 6.14 Residential Subdivisions should, in order to promote efficiencies in the delivery of urban services, be encouraged to develop in a fashion which minimizes “leap frog” development (i.e. leaving large vacant areas between developments.)

Russell Lineberry, applicant, spoke in support of his request, saying that there would be double-wides or better on the property.

On motion of Frye, seconded by Holmes, the Board voted unanimously to approve the request of Russell Lineberry, as consistent with the County’s adopted comprehensive plans and as outlined in the recommendations provided by the County Planning Board.

Adjournment

There being no further business, the meeting adjourned at 7:27 p.m.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Stan Haywood

Arnold Lanier

Cheryl A. Ivey, Clerk to the Board